

STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION
302 W. WASHINGTON STREET, SUITE E-306
INDIANAPOLIS, INDIANA 46204-2764

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IN THE MATTER OF THE PETITION OF)
INFINITY FIBER, LLC, FOR A CERTIFICATE)
OF TERRITORIAL AUTHORITY TO)
PROVIDE FACILITIES-BASED LOCAL)
EXCHANGE AND INTEREXCHANGE)
TELECOMMUNICATIONS SERVICES,)
INCLUDING CALLER ID, THROUGHOUT)
THE STATE OF INDIANA AND FOR AN)
ORDER DECLINING TO EXERCISE)
JURISDICTION PURSUANT TO I.C. 8-1-2.6)

CAUSE NO. 42898

FILED

SEP 28 2005

INDIANA UTILITY
REGULATORY COMMISSION

You are hereby notified that on this date the Presiding Officer in this Cause made the following entry:

On July 7, 2005, Infinity Fiber, LLC, ("Petitioner") filed its Petition with the Indiana Utility Regulatory Commission ("Commission") for a certificate of territorial authority, as captioned above.

The Presiding Officer, having reviewed the Petition and documents submitted by Petitioner, hereby finds that Petitioner shall answer the following data requests on or before October 11, 2005.

1. Is it Petitioner's intent to rely on its owner's personal assets to fund the initial operation of the company?
2. If yes, will the owner offer sworn testimony affirming this intent?

IT IS SO ORDERED.

Lorraine Hitz-Bradley
Lorraine Hitz-Bradley, Administrative Law Judge

September 28, 2005
Date